

Attorney Docket No. 23164-1003

PATENTS

that this paper is being
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CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on February 3, 1999.

Victoria L. Boyd, Reg. No. P-43,510

Date _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tovey et al.

Application No. 08/853,292

: Group Art Unit: 1801

Filed: May 9, 1997

: Examiner: Not yet assigned

For: Stimulation of Host Defense Mechanisms Against Viral Challenges

Assistant Commissioner for Patents
Washington, DC 20231

REPORT

FEB 16 1977

Sir:

TRANSMITTAL LETTER FOR SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Transmitted herewith for filing in the above-entitled patent application is an Information Disclosure Statement, in compliance with 37 CFR 1.97, with referenced documents 1-3. Also enclosed is a return postcard.

- [] The Information Disclosure Statement is being submitted: (a) within three months of the filing date, or (b) before the mailing date of the first Office action on the merits. **Therefore, no fee is due under 37 CFR 1.97(b).**

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01 FC:126 240.00 CH
Information Disclosure Statement is submitted more than three months after the filing date and after the mailing date of the first Office action on the merits, but, before a final action under § 1.113 or a notice of allowance under § 1.311. Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(1) that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office on a counterpart foreign application not more than three months prior to the filing of the Statement. **Therefore, no fee is due under 37 CFR 1.97(c).**

- [[The Information Disclosure Statement is submitted more than three months after the filing date and after the mailing date of the first Office action on the merits, but, before a final action under § 1.113 or a notice of allowance under § 1.311. Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(2) that no item of information contained in the Information Disclosure Statement was cited in a

communication from a foreign patent office in a foreign counterpart application, or, to the undersigned Attorney's knowledge after making reasonable inquiry, was known to any person designated in § 1.56(c) more than three months prior to the filing of the Statement. **Therefore, no fee is due under 37 CFR 1.97(c).**

Deposit Account Authorization

- [X] The Information Disclosure Statement is submitted more than three months after the filing date and after the mailing date of the first Office action on the merits, but, before a final action under § 1.113 or a notice of allowance under § 1.311, without certification under 37 CFR 1.97(e). Therefore, *only if this entry is checked in the left margin*, the **\$240.00** fee set forth in § 1.17(p) is authorized below.
- [] The Information Disclosure Statement is submitted after the mailing date of a final action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee.
- [] Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(1) that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office on a counterpart foreign application not more than three months prior to the filing of the Statement.
- [] Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(2) that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a foreign counterpart application, or, to the undersigned Attorney's knowledge after making reasonable inquiry, was known to any person designated in § 1.56(c) more than three months prior to the filing of the Statement.
- Applicant(s) hereby petition requesting consideration of the Information Disclosure Statement. Therefore, *only if this entry is checked in the left margin*, the **\$240.00** petition fee set forth in § 1.17(i)(1) is authorized below.
- [X] Please charge **\$240.00** to Deposit Account No. 08-1641.
- [X] The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Account No. 08-1641. This is not, however, an authorization to pay the issue fee. A duplicate of this document is enclosed.

Respectfully submitted,

Victoria L. Boyd

Victoria L. Boyd
Attorney for Applicants
Reg. No. P-43,510

Date: February 3, 1999

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NOTED - [unclear]
SERIAL - [unclear] 130526.v1